

(3) On December 5, 1910, of a quantity of vermicelli which was adulterated and misbranded. This product was labeled: "Fideos P. Daussa & Cia. Gran Fabrica de Fideos Establecida en 1865, Brooklyn, E. U. Marca. Bandera de Honor, P. Daussa y Cia, Fabrica de Fideos."

Analysis of a sample of the product by said Bureau of Chemistry showed that it was colored with Naphthol Yellow S, S&J 4.

(4) On December 10, 1910, of a quantity of vermicelli which was adulterated and misbranded. This product was labeled: "Refinos P. Daussa & Cia. Gran Fabrica de Fideos Establecida en 1865 Brooklyn E. U. Independencia (Figure holding scales Cuban Flag, and standing on island) Cuba."

Analysis of a sample of this product by said Bureau showed that it was colored with Naphthol Yellow S, S&J 4.

Adulteration of these products was alleged in the information for the reason that they were artificially colored with a yellow dye so as to simulate the appearance of high grade vermicelli, and in a manner whereby inferiority was concealed. Misbranding was alleged for the reason that the labels thereon bore statements, designs, and devices regarding said products and the ingredients and substances contained therein which were false and misleading, in that the labels represented the products to be pure vermicelli of a natural color, whereas, in truth and in fact, they contained artificial coloring matter, the presence of which was not made known to the purchaser. Misbranding was alleged for the further reason that the products were labeled and branded so as to mislead and deceive the purchaser, in that the labels conveyed the impression that the products were uncolored vermicellis of high grade, whereas, in truth and in fact, they consisted of products artificially colored.

On June 23, 1913, defendant McIntosh entered a plea of guilty to the information and the court imposed a fine of \$20. The information against Bouchet and Pantiatichi was dismissed.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *February 10, 1914.*

2799. Adulteration and misbranding of vinegar. U. S. v. Patrick H. Sugrue et al. Plea of nolo contendere. Fine, \$25 and costs. (F. & D. No. 2670. I. S. No. 11824-c.)

On May 8, 1912, the United States Attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Patrick H. Sugrue, John J. Sugrue, and Ralph B. Sugrue, doing business under the firm name and style of P. H. Sugrue & Co., Cleveland, Ohio, alleging the sale by said defendants, under a written guaranty, on or about October 25, 1910, of a quantity of vinegar which was on or about November 2, 1910, shipped by the purchaser thereof from the State of Ohio into the State of Pennsylvania, and which was adulterated and misbranded in violation of the Food and Drugs Act. The product was labeled: (On one end) "The W. Edwards Co., Clifton Brand Pure Cider Vinegar, Cleveland, O." (Opposite end) "47 Sugrue & Co., Cleveland, O. Manufd. Mar. 1, 1910. (Address) D. J. Frewen, Franklin, Pa."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results:

Solids (grams per 100 cc).....	2.04
Non-sugars (grams per 100 cc).....	1.10
Reducing sugar direct (grams per 100 cc).....	0.94
Sugar in solids (per cent).....	46.1
Polarization, direct.....	-0.6° V.
Ash (grams per 100 cc).....	0.41
Alkalinity of soluble ash (cc N/10 acid per 100 cc).....	45.0
Soluble P ₂ O ₅ (mg per 100 cc).....	17.0
Insoluble P ₂ O ₅ (mg per 100 cc).....	15.4
Total acid as acetic (grams per 100 cc).....	3.90

Fixed acid.....	Trace.
Lead precipitate.....	Large.
Color (degrees brewer's scale, 0.5 inch).....	8.0
Color removed by fuller's earth (per cent).....	60
Glycerin (grams per 100 cc).....	0.06
Pentosans (grams per 100 cc).....	0.042
Alcohol precipitate (grams per 100 cc).....	0.09

Adulteration of the product was alleged in the information for the reason that it consisted of cider vinegar, to which other substances had been mixed, so as to lower and injuriously affect the quality and strength of said product, to wit, dilute acetic acid or distilled vinegar, foreign material high in sugar, and added mineral matter mixed and prepared in imitation of cider vinegar. Adulteration was alleged for the further reason that the product consisted in part of dilute acetic acid or distilled vinegar, foreign material high in sugar and added mineral matter, mixed and prepared in imitation of cider vinegar which had been substituted in part for cider vinegar. Misbranding was alleged for the reason that the label on the product would deceive and mislead the purchaser into the belief that it consisted of pure cider vinegar, whereas, in truth and in fact, it did not consist of pure cider vinegar, but had added to cider vinegar other substances, to wit, dilute acetic acid or distilled vinegar, foreign material high in sugar and added mineral matter, mixed and prepared in imitation of cider vinegar; and for the further reason that said label on the product would deceive and mislead the purchaser into the belief that said product consisted of pure cider vinegar, whereas, in truth and in fact, it did not consist of pure cider vinegar, but consisted of a substance wherein dilute acetic acid or distilled vinegar, foreign material high in sugar and added mineral matter, mixed and prepared in imitation of cider vinegar, had been substituted in part for said vinegar.

On December 6, 1912, the defendants entered a plea of *nolo contendere* to the information and the court imposed a fine of \$25 and costs.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *February 10, 1914.*

2800. Adulteration and misbranding of olive oil. U. S. v. George Adracht (Greek Trading Co.). Plea of guilty. Fine, \$15. (F. & D. No. 2743. I. S. No. 13964-c.)

On June 26, 1912, the United States Attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against George Adracht, doing business under the name and style of the Greek Trading Co., New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on March 9, 1911, from the State of New York into the State of Maryland, of a quantity of so-called olive oil which was adulterated and misbranded. The product was labeled: "Olio D'Olivia Sopraffino Lucca Brand Olive Oil."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Specific gravity, 15.6°C./15.6°C., 0.91728; index of refraction at 25°C., 1.4668; iodine number, 86.1; Halphen test, positive; peanut oil test, negative; sesame oil test, negative; cottonseed oil by color comparison, 25 per cent. Adulteration of the product was alleged in the information for the reason that another article, to wit, cottonseed oil, was substituted in part for olive oil. Misbranding was alleged for the reason that the label set forth above, regarding the article and the ingredients and substances contained therein, was false and misleading and said label was calculated to mislead and deceive the purchaser or purchasers thereof in that said label would indicate that the article consisted of olive oil, whereas, in truth and in fact, it consisted of a mixture of olive oil and cottonseed oil, said article containing approximately 25 per cent of cottonseed oil.